(4)

Division Bench

(2)

CF 100/-

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (HABEAS CORPUS) NO. (Cr) 768 OF 2006

PETITIONER

P.R. No. 5821/06
Presented by Shri Gourav Lahoti Adv.
dated 17/10/06

Inder Kumar Athwani, S/o Late Motumal Athwani, Aged about 54 years, R/o Football Ground, Idgah Bhata, Raipur (C.G.)

Versus

RESPONDENTS :

1) State of Chhattisgarh Through the Secretary, Home Department, DKS Bhawan, Raipur (CG).

2) The Senior Superintendent of Police, District Raipur (C.G.)

3) The Station House Officer, Police Station, Azad Chowk, Raipur (C.G.)

4) Nitesh Sinha, S/o Santosh Sinha, Aged about 27 years, R/o Lohar Chowk, Purani Basti, Raipur, Distt. Raipur (C.G.)

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WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRIT OF HABEAS CORPUS

(23)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.5768/06 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DB : Hon. Shri V.K. Shrivastava, & Hon. Shri Justice Sunil Kumar Sinha,JJ.

18/10/2006

Shri Gautam Khetrapal, Counsel for the petitioner.

Shri Vinay Harit, Dy. Advocate General with Shri Arun Sao, Govt. Advocate for respondents No. 1, 2 and 3/State.

None for respondent No.4.

Heard.

Admittedly, Nitesh Sinha and Ku. Kirti Athwani have filed writ petition bearing No.5652/2006 and both of them appeared in person before this Court on 13/10/2006 and stated before this Court that they have married with each other. However, on a complaint being made by the father of the girl, family members of Nitesh Sinha are being harassed by the Police. This Court vide order dated 13/10/2006 passed in W.P.No.5652/2006 (supra) issued direction for their adequate security.

When Ku. Kirti Athwani and Nitesh Sinha have married each other and are living happily together and got order for adequate protection from this Court, apparently in these circumstances, Ku. Kirti Athwani cannot be treated to be under any confinement. Therefore, this petition i.e., the writ of habeas corpus does not lie and is accordingly dismissed *in limine*.

In the light of above order, M(W)P.No.4363/2006, I.A.No.10201/2006 for urgent hearing and I.A.No.10202/2006 for hearing during Deepawali Holidays stand disposed of.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Sunil Kumar Sinha
Judge

raju

(पीछे देखिये)